

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

BOBBY GARCIA, # 1246159

v.

NATHANIEL QUARTERMAN,  
DIRECTOR OF TDCJ-CID

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CIVIL ACTION NO. H-08-426

**ORDER**

Before the Court is the Petition for a Writ of Habeas Corpus of Bobby Garcia, an inmate at the Telford Unit of the Texas Department of Criminal Justice - Correctional Institutions Division in New Boston, Texas. Preliminary review of the Petition under Rules 4 and 7 of the Rules Governing Section 2254 cases reveals that the state court records will be required before a determination can be made as to whether service of process should be ordered or accomplished on the Respondent.

In order for this Court to further evaluate the instant Petition, Respondent, in lieu of a formal Answer, is **ORDERED** to provide to the Court, **on or before April 18, 2008**, a complete copy of the state court records for the above stated case. *Cf. Martinez v. Aaron*, 5770 317, 318-20 (10<sup>th</sup> Cir. 1978).

It is further **ORDERED** that the Clerk **SHALL** send a copy of this Order and a copy of Garcia's Petition for a Writ of Habeas Corpus to **Michael Bozarth at the Office of the Attorney General, Habeas Corpus Division (mail code 066), P.O. Box 12548, Austin, Texas 78711-2548**, by certified mail, return receipt requested.

DONE at Galveston, Texas this 7<sup>th</sup> day of February, 2008.

  
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JOHN R. FROESCHNER  
UNITED STATES MAGISTRATE JUDGE